

|                               |                           |                    |
|-------------------------------|---------------------------|--------------------|
| <b>Notice of Allowability</b> | Application No.           | Applicant(s)       |
|                               | 09/751,573                | ZEIDMAN, ROBERT M. |
|                               | Examiner<br>Dwin M. Craig | Art Unit<br>2123   |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 5-27-2005.
2.  The allowed claim(s) is/are 1-21 and 23-25.
3.  The drawings filed on 7-9-2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152).
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



**DETAILED ACTION**

**And**

**EXAMINER'S REASONS FOR ALLOWANCE**

1. Claims 1-21 and 23-25 are allowed.
2. As regards the 35 USC 101 rejections of the claims, the Examiner has found the Applicants argument on page 6 of the 5-27-2005 responses regarding the Non-Statutory double patenting rejections to be persuasive.

**EXAMINER'S REASONS for ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance: The following limitation, in combination with other limitations are neither anticipated nor made obvious by the prior art and regarding independent claims 1 and 19, "*A method of connecting an emulated electronic device to a network operating at a specified bit-rate higher than the emulated electronic device*". The Examiner notes the argument provided on page 17 of Applicant's Appeal Brief presented on 5-27-2005, "*Therefore, if one is to construe the Chen Article's ATM network as an emulated electronic device, as the Examiner's rejection requires, the emulated electronic device operates at a higher bit-rate than the network it emulates, which is contrary to the limitations of Claims 1 and 19,*" the Examiner has found this argument to be persuasive and withdraws the earlier 35 USC 102 rejections of the claims. As regards the 35 USC 103(a) rejections of the claims, the Examiner has found the arguments on page 8 of the Appeal Brief to be persuasive and withdraws those rejections.

- 3.1 Regarding dependent claims <sup>2</sup>/18, 20, 21 and 23-25 they are allowed as they depend from allowed base claims.

Art Unit: 2123

**3.2** Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

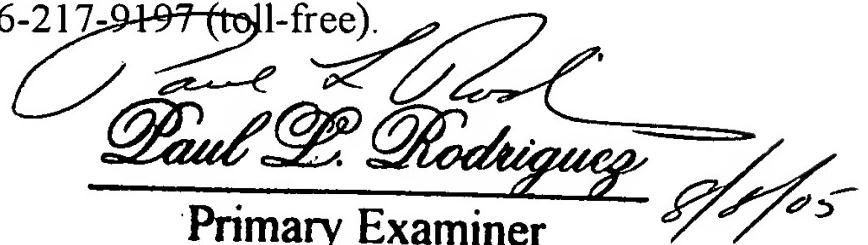
**4.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,299,314 discloses an Ethernet Interface attached to a Centronics™ parallel port, see Figure 2 item 32.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Paul L. Rodriguez 8/8/05  
Primary Examiner  
Art Unit 2125